



Town of Clifton Park

ENVIRONMENTAL CONSERVATION COMMISSION

Protecting today's environment for the next generation...



TOWN SUPERVISOR:

Philip C. Barrett

ECC CHAIR:

Brian Glick

ECC ATTORNEY:

Joel Peller

STORMWATER MANAGEMENT TECHNICIAN:

Scott Reese

TOWN LIAISON:

Sanford Roth

MEMBERS:

Raoul Desy

Brian Glick

Dan Mathias

Karl Siverling

James Ruhl

Keith Martin

Mary Anne Mariotti

Dave Alexander

FINAL

MINUTES:

Tuesday, May 7th, 2019

CALL TO ORDER:

Brian Glick, called the meeting to order at 7:00 PM in Conf. Room C.

PRESENT:

Scott Reese, Brian Glick, James Ruhl, Dan Mathias, Karl Siverling, Dave Alexander, Keith Martin

ABSENT:

Raoul Desy, Sandy Roth, Mary Anne Mariotti

ANNOUNCEMENTS:

- Next meeting: The next ECC meeting will be Tuesday, **May 21st, 2019** at 7 PM in Town Hall, Conference Room C
- Scott Reese, Stormwater Management Technician was present to explain the project applications
- ZBA – 2 Project received – 1 to review

Zoning Board –

Variance #81213 – Rt 146A (Vacant Land) #264.-3-66.11 & #264.-3-67

Recommendations:

- 1. This proposal is a blatant violation of the spirit, intent and application of the CR Zoning Law as passed in 2005.**
- 2. The ECC recommends the ZBA not grant the requested area variance since earlier this year Town Code regarding duplexes was not changed following a legal challenge.**
- 3. In evaluation this application the ZBA must consider the five (5) legally recognized standards of review.**
 - a. The character of the neighborhood: The neighborhood is overwhelmingly single family homes on estate lots. Duplexes in this zone are primarily found in hamlet areas and would conflict greatly with the character of this neighborhood.**

- b. **Can the benefit be achieved by other means: The applicant can achieve benefit by building a single family home in compliance with the CR Zoning Law.**
 - c. **Is the requested area variance substantial: The applicant is requesting a variance of three times (3X) the CR Zoning standard. In the first quarter of 2019 the Town Board approvaed a zoning change the required three (3) acres of unconstrained land for each dwelling unit. This project should require twelve (12) acres of unconstrained land based on two (2) duplexes. There are only four (4) acres of unconstrain land on the entire lot. If the Zoning Board approves this project, it will undermine the decision of the Town Board.**
 - d. **Is the variance substantial: Granting a three hundred percent (300%) variance for this project is substantial and would undermine the Conservation Residential Zone (CR Zone). Approval of this proposal by the ZBA would invite similar proposals for substantial area variances.**
 - e. **Self-created hardship: The ECC raises the questions of whether these circumstances evince a self created hardship.**
4. **Although the Woodcock Preserve is located in the vicinity of this project, the presence of the rail line seperating the parcel and this preserve renders the synergy with this conservation resource questionable.**

A **motion** to adopt these statements was made by Karl Siverling, seconded by David Alexander; all in favor, none opposed.

Planning Board

I. Public Hearings -

2019-019 Mallard Drive Accesory Use SUP

Applicant is requesting a Special Use Permit for allowance of a Home Occupation Social Work Counseling Office in an already existing Single Family Home in the R-1 Zone per section 208-10(9)(a) [2]. If approved, full handicapped accessibility to home occupation will be required, 15 Mallard Dr, Zoned: R-1, Status: PB Preliminary Review w/ possible determination.

SBL: 276.7-1-25 To be reviewed by: MJE Consultant: none Applicant: Penelope Trielo

Recommendations:

1. **The ECC has no comments.**

A **motion** to adopt these statements was made by Karl Siverling, seconded by James Ruhl; all in favor, none opposed.

2018-041 Masseria/Santoro 5 Lot Subdivision

Applicant proposes to subdivide 25.31 acres of vacant land into 5 new lots for construction of single family homes. The smallest lot being 1.75 acres and largest is 5.04 acres in size. Each Lot will have on site septic systems designed by NYS Licensed Engineer and wells. There will be a common driveway for access to Hubbs Road with a small amount of wetland disturbance to construct t-he driveway. Remaining lands (9.06 acres) to be dedicated to the Town of Clifton Park. Hubbs Road, Zoned: CR, Status: PB Preliminary Review

SBL: 258.-1-44.111

To be reviewed by: MJE Consultant: GVG Applicant: Masseria

Recommendations:

1. **The location of the septic field on Lot 1 should have the required separation from the wetland boundaries. Please reference the attachment of Table 2 of Director of Planning letter dated May 7th, 2019 in reference to this project.**
2. **The ECC recommends the applicant consider public sewer alternatives or alternative measures of treatment and discharge for sanitary waste, due to concerns noted by the Building and Zoning Director (April 26th, 2019) and the Planning Director (May 7th, 2019).**
3. **The ECC notes from the plan proposed that a permit of 1/3 of an acre of ACOE wetland disturbance is necessary to construct the access route.**
4. **The applicant should indicate to the Planning Board the form of ownership of the openspace land that is adequate to fulfill the purposes of Town Code 208-16 and such ownership shall be indicated on the deed (e.g. offered fee simple dedication to the Town).**

A **motion** to adopt these statements was made by Keith Martin, seconded by Dan Mathias; all in favor, none opposed. Brian Glick recused from the vote.

II. Old Business – None

III. New Business

2019-022 Anyaegbunam Route 146 Medical Office

Applicant proposes development of a medical office building approximately 6,000+/- sf with approximately 40 parking stalls. Access to the facility is a proposed curb cut on Route 146. The site will be serviced by public water and a private sewer system with future provisions to connect to a future public sewer main within the Edison Club Development Plan, Rt 146, Zoned: HM, Status: PB Concept Review

SBL: 269.-3-3

To be reviewed by: MJE Consultant: Lansing Applicant: William Anyaegbunam

Recommendations:

1. **The Applicant must indicate the proposed amount of greenspace for this project. Indicate the greenspace by graphical representation to clarify the amount of greenspace. The applicant should clearly indicate square foot amount of greenspace and the total square footage of the parcel in order to indicate compliance with the twenty five percent (25%) greenspace standard.**
2. **The 1.52 acre parcel justifies an office use of 6,000 gross square feet if the office gross square footage will exceed this amount it should be subject to a density bonus per 208-43.5.**

A **motion** to adopt these statements was made by Dan Mathias, seconded by Karl Siverling; all in favor, none opposed.

2019-023 Jersen Construction Group Headquarters

Applicant proposes construction of a 10,000 sf office building, 18,000 sf garage facility and a 4 +/- acre equipment yard. Equipment Yard to consist of gravel base and contain area for employee parking, construction vehicles and equipment parking, and construction material

storage areas as required for the business and will contain a perimeter fence. Stormwater to be managed on site, 124 Wood Rd, Zoned: L 2, Status: PB Concept Review SBL: 250.-2-41
To be reviewed by: MJE Consultant: Lansing Applicant: Jersen Group

Recommendations:

- 1. The ECC supports and reiterates the comments outlined in the letter of May 7th, 2019 from John Scavo, Planning Director to the applicant.**
- 2. Given the close proximity of a residential dwelling to the south of the proposed project, the ECC recommends the relocation of the access road in order to mitigate the negative impact on the residence.**
- 3. The applicant shall verify the SIC codes of all onsite activities of this proposed development and if it will require a Multi Sector General Permit from the NYSDEC.**
- 4. The Town Code requires all structures constructed in the LI-2 Zones shall be fully and completely enclosed. The applicant shall verify that the garage structure will meet the standard.**
- 5. The ECC recommends that the applicant be cognizant and aware of the proximity of the proposal to the Historic District in Round Lake.**
- 6. The Applicant must indicate the proposed amount of greenspace for this project. Indicate the greenspace by graphical representation to clarify the amount of greenspace. The applicant should clearly indicate square foot amount of greenspace and the total square footage of the parcel in order to indicate compliance with the forty percent (40%) greenspace standard.**

A **motion** to adopt these statements was made by Dan Mathias, seconded by Keith Martin; all in favor, none opposed.

Discussion Items – None

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The meeting was adjourned at 9:40 PM.



Respectfully submitted,
Brian Glick

cc: Clifton Park Town Clerk
Planning Director (E-mail copy)
Sanford Roth, Town Liaison (E-mail copy)